

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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|---------------------------------------|---|-------------------------|
| ANDREW JEUNE |) | |
| Plaintiff, |) | C.A No. 05-CV-10215-GAO |
| |) | |
| v. |) | |
| |) | |
| OFFICER JOHN MCELROY, OFFICER |) | |
| CARLOS AQUINO, OFFICER DANIEL MCNEIL, |) | |
| OFFICER FRANK GREENRIDGE, |) | |
| LIEUTENANT TIMOTHY HOGAN, and the |) | |
| CITY OF CAMBRIDGE |) | |
| Defendants. |) | |
| |) | |

PROPOSED SCHEDULING ORDERS

Pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, the parties submit the following proposed scheduling orders:

Plaintiff's Proposed Discovery Plan and Motion Schedule:

- (a) Automatic document disclosure to be completed on or before December 31, 2005;
- (b) Written discovery requests are to be filed by February 15, 2006, and answers/responses are to be filed within the time provided by the rules;
- (c) All discovery is to be completed by June 30, 2006;
- (d) All expert witness disclosures of the plaintiff shall be made by August 1, 2006;
- (e) All expert witness disclosures by the defendant shall be made by September 1, 2006;
- (f) All dispositive motions are to be filed by October 30, 2006;
- (g) All responses to dispositive motions are to be filed by November 30, 2006;
- (h) A final pre-trial conference will be held per order of the Court.

Defendants' Proposed Discovery Plan and Motion Schedule:

Defendants propose that discovery be phased. Phase One discovery would be around the Plaintiff's claims against the individual Defendant Police Officers. Phase Two discovery would be around the Plaintiff's claims against the Defendant City of Cambridge:

1. Motions to Amend the Complaint filed by January 6, 2006
2. Motions to Dismiss filed by January 31, 2006

3. Phase One

- a. Phase One document discovery completed by April 14, 2006
- b. Phase One depositions completed by May 31, 2006
- c. All expert witness disclosures of the plaintiff shall be made by August 1, 2006;
- d. All expert witness disclosures by the defendant shall be made by September 1, 2006;

(Municipal defendant proposes that all Phase One expert disclosure per Fed.R.Civ.P. Rule 26(a)(2) be completed August 4, 2006)

- e. Phase One summary judgment motions filed by September 29, 2006

4. Phase Two

- a. Phase Two document discovery completed by December 29, 2006
- b. Phase Two depositions completed by February 28, 2007
- c. All expert witness disclosures of the plaintiff shall be made by April 27, 2007;
- d. All expert witness disclosures by the defendant shall be made by May 27, 2007;

(Municipal defendant proposes that all Phase Two expert disclosure per Fed.R.Civ.P. Rule 26(a)(2) be completed by April 27, 2007)

- e. Phase Two summary judgment motions filed by June 29, 2007

5. Pre-trial conference, September 12, 2007

6. Trial date, Fall, 2007

Defendant Officers McElroy, Aquino,
McNeil, Greenridge, and Lt. Hogan,
By their attorney,

//s//Thomas Urbelis
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Defendant City of Cambridge
By its attorneys,

//s//Arthur Goldberg
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Plaintiff Andrew Jeune,
By his attorney,

//s//Michael Tumposky
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Date: December 8, 2005

CERTIFICATE OF SERVICE

I, Michael Tumposky, hereby certify that, on this the 8th day of December, 2005, I have caused to be served a copy of this document, where unable to do so electronically, on all counsel of record in this matter.

//s//Michael Tumposky
Michael Tumposky